

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**RUSSELL ALAN MITCHELL**

**V.**

**NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice  
Correctional Institutions Division**

**3:07-CV-0443-D**


**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

Petitioner's motions to appoint counsel and for evidentiary hearing are denied.

**SO ORDERED.**

May 21, 2007.

  
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SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE